BEFORE THE UNITED STATES PATENT AND TRADEMARK OFFICE
ON APPEAL TO THE BOARD OF APPEALS

In re Application of: Ray Whitney	)	Date: February 8, 2006
Serial N°: 09/~~21,375~~ 921,375	)	Group Art Unit: 2642
Filed: 08/02/2001	)	Examiner: My Xuan Nguyen
For: Digital, Wireless PC/PCS Modem	)	

CERTIFICATE OF SERVICE
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450.

Terry Lakos 3/27/06
Name: TERRY LAKOS Date

BRIEF ON APPEAL

Hon. Commissioner of Patents and Trademarks
Alexandria, VA 22313-1450

Dear Sir:

This is an appeal from the Final Rejection, dated December 31, 2005 for the above identified application.

REAL PARTY IN INTEREST

The party(ies) named in the caption of this brief are the real parties of interest in this appeal.

RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences known to appellant, appellant's legal representative, or assignee which will directly affect or be directly affected by or have a bearing on the Board's decision in this pending appeal.

STATUS OF CLAIMS

Currently pending are claims 1-14, which were all finally rejected, and are all herein under appeal.

STATEMENT OF AMENDMENTS

There have been no supplemental amendments filed after final rejection.

SUMMARY OF CLAIMED SUBJECT MATTER

Referring now to FIGS. 1-5, 7 and 8, a digital, wireless PC/PCS modem 10, hereinafter referred to as PC/PCS modem 10, is shown for incorporation with personal home computers 42, laptop units 44, hand-held computer units 46 and cellular phones 48 for providing wireless communication via satellite transmission. The PC/PCS modem 10 features the ability to transmit video, computer, voice, and fax data. The PC/PCS modem 10 is connected to a circuit board 20 which holds internal electronic components.

First, a description of the PC/PCS modem 10 for utilization with laptop units 44, hand-held computer units 46 and cellular phones 48 is disclosed henceforth.

Referring now to FIGS. 1, 3, and 4 , a PC/PCS modem 10 is shown in a removed state from a laptop unit 44. The PC/PCS modem 10 is in a PCMCIA card type configuration universally known in the art as associated with a laptop unit 44. The PC/PCS modem 10 would connect into the laptop unit 44 using a type II PCMCIA card slot 22. A perspective view of the PC/PCS modem 10 is shown in FIG. in a utilized state with the PC/PCS modem 10 fully seated in the type II PCMCIA card slot 22 of the laptop unit 44.

Referring more specifically to FIGS. 7 and 8, for purposes of this disclosure, it is envisioned that the hand-held computer unit 46 is designed and configured as having a type II PCMCIA card slot 22 for receiving the PC/PCS modem 10. It is further envisioned that the cellular phone 48 is designed and configured with a PC/PCS modem 10 hingedly attached as a free end 48a with an electrical connector 57 comprising a series of electrical contacts 59, wherein the free end 48a is scaled equivalent to the aforementioned PC/PCS modem 10 for engaging the type II PCMCIA card slot 22.

An antenna 50, complete with a protective cap 51, is provided and tuned to the frequency of a corresponding satellite link and relay wireless system for transmitting and receiving digital signals and sending them to the circuit board 20 to be processed. Such a system allows transference of datum and other services from the laptop unit 44 from home or while traveling. The antenna 50 is attached to the PC/PCS modem 10 using a swivel joint assembly 54. The swivel joint assembly 54 allows for the antenna 50 to be rotated and aligned to provide optimum transmission and reception of digital signals unlimited with respect to user's locale. The antenna 50 is designed and

configured so as to minimize interferencial effects suffered by satellite link and relay wireless communications which commonly occur during storms, while maintaining maximum performance.

The swivel joint assembly 54 is shown providing for the antenna 50 to be in a collapsed position. Such collapsed position facilitates storage and transportability of the laptop unit 44, the hand-held unit 46, and the cellular phone 48.

It should be noted that the orientation of the antenna 50 with respect to the PC/PCS modem 10 and the orientation of the PC/PCS modem 10 with respect to the laptop unit 44 is for purposes of clarity only and is not intended to be a limiting factor.

Referring now to FIG. 3, a top view of the PC/PCS modem 10 is disclosed. The PC/PCS modem 10 is supplied in the standard shape, size and configuration to match the PCMCIA standards as developed by the computer industry. An enclosure top 55 is held in place by a series of fastening means 68, such as a screw. The enclosure top 55 is removable to allow for repair or adjustment of any internal electronic components located inside the PC/PCS modem 10.

Referring now to FIG. 4, along the leading edge of the PC/PCS modem 10 is an electrical connector 57, comprising a series of electrical contacts 59. The electrical connector 57 would be of the standard arrangement as defined by the computer industry for PCMCIA connections.

Referring next to FIG. 5, according to the preferred embodiment of the present invention, the laptop unit 44 is provided with at least three tuner cards 70 for providing a multi-task video screen 80 split into a plurality of frames 82 of equal dimension, wherein each frame 82 providing for a specific functional operation, task, or application.

Specifically referring to FIGS. 2 and 5, for purposes of this disclosure, the preferred embodiment is shown and described as having nine tuner cards 70 thus providing a multi-task video screen 80 split into nine frames of equal dimension, wherein each frame providing for a specific functional operation, task, or application.

In operation, the tuner cards 70 provide the user with the capability of performing various functional operations and transmissions including video, voice, text, fax, and viewing of satellite television broadcast, while all nine frames 82 being simultaneously displayed via the multi-task video screen 80.

Video transmission is accomplished via a swivel-based, independent micro camera 90 rotatable 180°.

A microphone 92 is provided for converting a transmitted sound into a sound signal, wherein the sound signal is further converted into a transmitting signal which is transmitted through the antenna 50, 50a.

A loudspeaker 94 is provided for generating an audible sound in response to reception of digital signals. The loudspeaker 94 and the microphone 92 are coupled to a microprocessor 65 via an audio interface block 66.

Referring now to FIG. 6, an alternate embodiment of the present invention is disclosed, wherein an integrated PC/PCS digital wireless modem 12, hereinafter referred to as integrated PC/PCS modem 12, is shown for incorporation within personal home computers 42 for providing wireless communication via satellite transmission. The integrated PC/PCS modem 12 features the ability to transmit video, computer, voice, and fax data. An antenna 50a is provided and is connected to the integrated PC/PCS modem 12 for transmitting and receiving digital signals and sending them to

the circuit board 20 to be processed. The antenna 50a, complete with a protective cap 51a, is provided and operatively tuned so as to allow transmission to a corresponding satellite link and relay wireless system.

The antenna 50a is attached to an external housing 52 of the personal home computer 42 using a swivel joint assembly 54 which allows for the antenna 50a to be rotated and aligned to provide optimum transmission and reception of digital signals unlimited with respect to user's locale. The antenna 50a is designed and configured so as to minimize interferencial effects suffered by satellite link and relay wireless communications which commonly occur during storms, while maintaining maximum performance. It should be noted that the orientation of the antenna 50a with respect to its attachment location as illustrated in FIGS. , is for purposes of clarity and is not intended to be a limiting factor.

Specifically referring to FIGS. 5 and 6, the alternate embodiment of the present invention is provided with at least three tuner cards for providing a multi-task video screen 80 split into a plurality of frames 82 of equal dimension, wherein each frame 82 providing for a specific functional operation, task, or application such as video, voice, text, fax, and viewing of satellite television broadcast. The alternate embodiment of the present invention is shown and described as having nine tuner cards 70.

Video transmission is accomplished via a swivel-based micro camera 90 rotatable 180°.

A microphone 92 is provided for converting a transmitted sound into a sound signal, wherein the sound signal is further converted into a transmitting signal which is transmitted through the antenna 50, 50a.

A loudspeaker 94 is provided for generating an audible sound in response to reception of digital signals. The loudspeaker 94 and the microphone 92 are coupled to a microprocessor 65 via an audio interface block 66.

Referring next to FIG. 5, a description regarding circuitry associated with the PC/PCS modem 10 incorporated with the laptop unit 44 is disclosed. It should be noted; however, that the circuitry to be described henceforth is intended to be equally applicable to the alternate embodiment of the present invention. Digital signals transmitted via satellite link and relay wireless system is received by the antenna 50 and are passed therefrom through a series of line amplifiers 96. An input buffer 98 is coupled between the series of line amplifiers 96 and a network switching element 99, which receives input from the PC/PCS modem 10. Frequency/Feedback 112 along with Channel/Screen selection function 114 flows from the switching network element 99 bi-directionally to a multi-tuner module 100 where data is passed therefrom to the microprocessor 65. This data is then passed on to a universal asynchronous receiver transmitter 72 via a first bi-directional path 75. The universal asynchronous receiver transmitter 72 is responsible for all data transfers from the computer system to its modem output system. This described data transfer occurs between these and all modules through a series of parallel bus 80, a series of serial transmit bus 85 and a series of serial receive bus 90. The first of these occurs with a micro controller 95. The micro controller 95 is dedicated to aligning the data in the proper configuration to be processed by a voice, audio, data, fax and video processor 110 (indicated by a dashed box) through another parallel bus 80, serial transmit bus 85 and serial receive bus 90. The voice, data, fax and video processor 110 consists of a digital signal processing

support module 105, used as a prebuffer into a digital signal processor 112. The digital signal processor 110 performs all necessary operations on the data, including handshake verification, through a series of built in algorithms. It is envisioned that the algorithms would be software and firmware ungradable to allow for future enhancements in wireless communications standards. Data from the digital signal processor 112 is then passed to a coding - decoding device 115 where it is assembled into data packets. Data from the coding - decoding device 115 is transferred on a transmit "A" line 120 and a receive "A" line 125 to a PCS module 130 and an internal data access arrangement 135. The PCS module 130 provides the necessary interface to the wireless personal communication system through the antenna 50 and will be internally programmable with regards to calling systems, phone numbers, data transfer protocols, system requirements and the like. It will be password protected to only allow authorized sellers to program the above variables. It is envisioned that this programming and reprogramming will occur separate from the laptop unit 44 (not shown in this FIG.) through a special interface. The internal data access arrangement 135 is in physical connection to a particular phone system and is envisioned to allow for specific system dependent items such as special ring requirements, caller identification and other host specific items. A switched data bus 140 shown as interconnecting to the universal asynchronous receiver transmitter 72, the digital signal processing support module 105, the PCS module 130, and the internal data access arrangement 135 allow for data acknowledgment and step transfer functions for data that is communicated on the serial busses. It should be noted that data transfers through all blocks in a bidirectional pattern as would be occurring during downloading and uploading of

information.

GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

There were six (6) separate series of rejections based on 35 U.S.C. §103(a):

1. Claim 4 was rejected under 35 U.S.C. 112;
2. Claims 1, 3, 4, and 6 are rejected under U.S. Patent No. 6,684,084 to Phillips, U.S. Patent No. 6,778,519 to Harrell et al., and U.S. Patent No. 5,646,635 Cockson, et al.
3. Claims 2 and 7-11 are rejected under U.S. Patent No. 6,684,084 to Phillips, U.S. Patent No. 6,778,519 to Harrell et al., U.S. Patent No. 5,646,635 Cockson, et al, and U.S. Patent No. 6,088,648 to Shah et al.
4. Claims 5 is rejected under U.S. Patent No. 6,684,084 to Phillips, U.S. Patent No. 6,778,519 to Harrell et al., U.S. Patent No. 5,646,635 Cockson, et al, and WO Foreign Patent 9953437A1 to Shobara et al.;
5. Claims 12 and 13 are rejected under U.S. Patent No. 6,684,084 to Phillips, U.S. Patent No. 6,778,519 to Harrell et al., U.S. Patent No. 5,646,635 Cockson, et al, U.S. Patent No. 6,088,648 to Shah et al. and U.S. Patent No. 5,428,671 to Dykes et al., and U.S. Patent No. 6,917,646 to Chianale et al.
6. Claims 14 is rejected under U.S. Patent No. 6,684,084 to Phillips, U.S. Patent No. 6,778,519 to Harrell et al., U.S. Patent No. 5,646,635 Cockson, et al, and U.S. Patent No. 5,566,226 to Mizoguchi et al.

ARGUMENT

1. Rejections under 35 U.S.C. 112

Claim 4 was rejected under 35 U.S.C. 112. Upon review, applicant acknowledges this defect, and herein withdraws this claim from further consideration under this appeal.

2. Rejections under 35 U.S.C. 103(a)

A. Claims 1, 3, 4, and 6 are rejected under U.S. Patent No. 6,684,084 to Phillips, U.S. Patent No. 6,778,519 to Harrell et al., and U.S. Patent No. 5,646,635 Cockson, et al.

U.S. Patent No. 6,684,084 to Phillips, assigned on its face to Ericsson Inc., is directed to powering telephone card connected with a PCMCIA port. This is an apparatus with a housing containing a peripheral device slot that contains a PCMCIA interface. A PCMCIA card is inserted within the slot, where the card is electronically connected to the interface. An adaptor is connected to the card which contains an antenna. The apparatus contains a power supply that supplies the card through the adaptor independent of the interface.

U.S. Patent No. 6.778,519 to Harrell et al., assigned on its face to 3Com Corporation, is directed to a computing system. A computer with a PCMCIA card sends and receives spread spectrum signals. These signals contain commands on a peripheral device, such as a video capture apparatus. The signal is received by a

docking station and this station sends the appropriate command to the appropriate device. The system also has the capability of communicating information back to the PCMCIA card.

U.S. Patent No. 5,646,635 to Cockson et al., assigned on its face to Centurion International, Inc., is directed to a PCMCIA antenna. A PCMCIA card is electronically connected to a coaxial cable via a connector. A housing contains a circuit board and another circuit board is placed outside the housing. Each circuit board contains a trace thereon which are connected to one another via a transformer. The coaxial cable is also electronically connected to the transformer. The coaxial cable is mechanically connected to the trace of the first circuit board. A joint secured to the housing enables the second circuit board to be moved into a deployed and non-deployed setting

The examiner cites in Phillips Fig 1 and Col. 3, Lines 39-42, which states:

> "Referring back to Fig. 1, the illustrated radiotelephone card 12 is inserted into a PCMCIA slot 14 located within the housing 15 of an electronic device 16, such as a hand-held or lap-top computing device."

Fig. 1, Col. 2, Lines 55-57, which states:

> "An antenna may be movably mounted to the adapter and electrically connected to the radiotelephone card."

Col. 3, Lines 65-67, which states

> "In addition, a separate audio jack (not shown) may be provided for providing audio input and output to and from the radiotelephone card."

The examiner cites in Cockson et al., Figs. 10-15, Col. 5, Lines 49-53

> "The swivel knuckle 22" rotates the antenna's upper radiator to a vertical positions, as illustrated in the drawings. The wire 62 which telescopically

> extends from the sheath 24" terminated in a top bushing which is beneath the cap 64."

The examiner cites in Harrell et al. Col. 3, Lines 27-30:

> "It is a further object of the present invention to provide a portable computer having a PCMCIA card interface that is in a wireless communication system via an RF link to a plurality of peripheral devices."

And, Col. 8, Lines 1-8:

> "peripheral device include a mass storage device, a printer, a video capture device, an image scanning device, a local area network connection, a disk, tape, CD, or diskette drive, a copier, a facsimile transreceiving machine, a modem, an ISDN port, an ADSL port, a pager, a television, an audio visual device.

Referring to the present invention, Claim 1 teaches tuning the antenna to a frequency of a corresponding wireless system. There is nothing taught in the cited references for correspondence to a specific wireless system as is taught by this invention. The examiner specifically states in the rejection that it is inherent to use a microphone and loudspeaker as a audio input and output device respectively. The examiner does not address, nor do the cited references suggest, using an audio interface block or coupling with a microprocessor. The cited references only disclose audio jacks, not specific devices to be attached. This combination goes beyond the inherent microphone and loudspeaker cited by the examiner.

In reference to claim 3, the specific matching disclosed in this claim are not disclosed in the cited references, specifically against Phillips. In Claim 4, the examiner specifically states in the rejection that it is inherent to use a microphone and loudspeaker as a audio input and output device respectively. The examiner does not

address, nor do the cited references suggest, using an audio interface block or coupling with a microprocessor. The cited references only disclose audio jacks, not specific devices to be attached. This combination goes beyond the inherent microphone and loudspeaker cited by the examiner.

In Claim 6, the examiner specifically rejects this claim based on the finding that Phillips teaches connecting the modem with the PCMCIA. Phillips specifically teaches on male and female connectors, while the present invention is directed to the arrangement of the electrical connector. Phillips does not disclose anything regarding arrangement.

B. Claims 2 and 7-11 are rejected under U.S. Patent No. 6,684,084 to Phillips, U.S. Patent No. 6,778,519 to Harrell et al., U.S. Patent No. 5,646,635 Cockson, et al, and U.S. Patent No. 6,088,648 to Shah et al.

The examiner cites in Phillips the same disclosure as were mentioned above.

U.S. Patent No. 6,088,648 to Shah et al., assigned on its face to Mobile Information Systems, Inc., is directed to tracing vehicle location. The relevant portion of this invention is the display. The system has multiple display segments. The first segment shows a digital representation of a given area, such as a map. Other display segments can be used showing other pieces of information, such as statistics of specific objects on the map.

The examiner cites in Shah et al. Col. 9, Lines 60-66. Col.10, Lines 1-3:

> "But it would be recognized that the specialized mobile radio may be any type of wireless communication means such as cellular telephone, frequency modulation (FM) carrier means, cellular digital packet data means (CDPD), satellite

> communication, wide area wireless communication network (WAN) such as a product called Ricoche sold by Metricom of Los Gatos, Calif., and others. The mobile radio modem can also be a data modem, PCMCIA card modem, or the like for transporting data signals, voice signals, video signals, and the like."

And Col. 5, Lines 20-22:

> The display shown in Fig. 5 can be divided into at least two regions or segments such as a raster display segment 530, a vector information display segment 532, and others.

The examiner cites in Harrell et al. are the same disclosures as were mentioned above.

In reference to Claim 2, this claim specifically teaches on a wireless communication system as a satellite link and a relay wireless communication system. Shah does not specifically teach of the relay system disclosed in this claim. In Claim 7, this claim teaches using three tuner cards, which is not taught by the cited references, specifically Shah et al. In Claim 8, this claim teaches using tuner cards in which is not taught by the cited references, specifically Shah et al. In Claim 10, tThis claim teaches using three tuner cards which is not taught by the cited references, specifically Shah et al..

In Claim 11, this claim teaches using tuner cards which is not taught by the cited references.

C. Claims 5 is rejected under U.S. Patent No. 6,684,084 to Phillips, U.S. Patent No. 6,778,519 to Harrell et al., U.S. Patent No. 5,646,635 Cockson, et al, and WO Foreign Patent 9953437A1 to Shobara et al..

PCT Application WO99/53437 to Shobara et al. is in a foreign language, wherein the abstract is in English. The invention is directed to a PC card Frame Kit. The main portion of the frame kit has two panels that can be opened and then locked together.

The examiner cites in Phillips the same disclosure as were mentioned above.

The examiner cites in Shobara et al. the abstract and Figs. 1-9:

"A frame kit for a PC card, comprising a frame for holding a substrate assembly comprising a substrate and connectors attached thereto and a pair of panels for covering the upper and lower surfaces of the substrate assembly installed on the frame, each of the pair of panels having a rotatably engaged piece engaged rotatably with the frame at the rear end of the panel, having a front lock engaging piece for engaging the panels with each other in the locked state on the front end side of both sides of the panel, and also having a pressing piece press-fitted into the frame at at lease one side of the panel, the frame having a rotatably engaged piece groove for rotatably receiving the rotatably engaged piece at a rear end lever, and having a pressing groove for receiving the pressing piece at at least one lever corresponding to the pressing piece.

D. Claims 12 and 13 are rejected under U.S. Patent No. 6,684,084 to Phillips, U.S. Patent No. 6,778,519 to Harrell et al., U.S. Patent No. 5,646,635 Cockson, et al, U.S. Patent No. 6,088,648 to Shah et al. and U.S. Patent No. 5,428,671 to Dykes et al., and U.S. Patent No. 6,917,646 to Chianale et al.

The disclosures in Phillips, Harrell et al, and Cockson et al are the same as were mentioned above.

U.S. Patent No. 5,428,671 to Dykes et al., assigned on its face to Compaq Computer Corporation, is directed to a modem for communication between a computer and a cellular phone. A host computer port is connected to a cellular phone port. The host computer sends commands to the cellular phone. The connection then converts the host computer commands into a format that can be received by the cellular phone. Once converted, the information is sent to the cellular phone. The host computer command is then executed.

U.S. Patent No. 6,917,646 to Chianale et al., assigned on its face to STMicroelectronics S.A., is directed to circuitry for communicating over a transmission

line. A modem is connected with a receiving line at its input and a transmit wire at its output. A transmission line is coupled to both the transmit and receiving line which allows signals to be passed between the transmission line and the transmit/receiving line. A detector is placed at the transmission line for determining the location of a start-of-communication signal.

The examiner cites in Dykes et al. Fig. 2, Col. 6 Lines 51 to Col. 8, Line 63. To paraphrase the portion of the cited reference, the computer in Dykes et al is bidirectionally connected to a UART comprising of several buses. A microprocessor organizes the data and a digital signal processor performs all operations through algorithms designed for communication with a modem. The organization of the data is for voice, data, and video.

The examiner cites in Chianale et al. Fig. 1, Col. 2, Lines 44-52, Col. 3, Lines 32-34:

> "According to an embodiment of the present invention, the circuit includes a modem having a nominal operating mode and a low-consumption operating mode, an output and an input of the modem being respectively connected to the transmit and receive lines, the detector being connected to switch the modem from its low-consumption operating mode to its normal operating mode when it detects said predetermined signal...A modem has an output and an input respectively connected to transmit and receive lines via amplifiers"

And, in Fig. 2, Col. 4, Lines 8-11:

> "For this reason, in Fig. 2, a switch is provided to short-circuit the two output terminals of amplifier when circuit is in low-consumption mode."

In Claim 12, this claim specifically teaches on a wireless communication system as a satellite link and a relay wireless communication system. Shah does not

specifically teach of the relay system disclosed in this claim. In Claim 13, this claim teaches verification, specifically handshake verification, that is not taught by the prior art.

E. Claims 14 is rejected under U.S. Patent No. 6,684,084 to Phillips, U.S. Patent No. 6,778,519 to Harrell et al., U.S. Patent No. 5,646,635 Cockson, et al, and U.S. Patent No. 5,566,226 to Mizoguchi et al.

The examiner cites in Phillips, Harrell amd Cockson were the same disclosure as were mentioned above.

The examiner cites in Mizoguchi et al. Fig. 2, Col. 3, Lines 24-25: "The subsidiary case is pivotally connected to a lower end of the main case by a hinge."

And, in Fig. 2, Col. 3, Lines 46-50

> "The subsidiary case has a width and a thickness substantially equal to those of a PC card or an IC memory card which is recently brought into wide use and has a size designed in accordance with a predetermined standard, for example, a PCMCIA standard well known in the art."

In undertaking a determination of whether a reference, or a combination of references, renders a claim(s) obvious under 35 U.S.C. § 103(a), the examiner must show that the reference or combination of references teach or suggest every element of the claim(s) in question. MPEP § 706.02(j). In regard to the several rejections of the claims under 35 U.S.C. § 103(a), based upon the above arguments, it is felt that the differences between the present invention and all of these references are such that rejection based upon 35 U.S.C. § 103(a), in addition to any other art, relevant or not, is also inappropriate. However, by way of additional argument applicant wishes to point

out that it is well established at law that for a proper *prima facie* rejection of a claimed invention based upon obviousness under 35 U.S.C. § 103(a), the cited references must teach every element of the claimed invention. Further, if a combination is cited in support of a rejection, there must be some affirmative teaching in the prior art to make the proposed combination. See Orthopedic Equipment Company, Inc. et al. v. United States, 217 USPQ 193, 199 (Fed. Cir. 1983), wherein the Federal Circuit decreed, "Monday Morning Quarter Backing is quite improper when resolving the question of obviousness." Also, when determining the scope of teaching of a prior art reference, the Federal Circuit has declared:

> "[t]he mere fact that the prior art could be so modified should not have made the modification obvious unless the prior art suggested the desirability of the modification." (Emphasis added). In re Gordon, 221 USPQ 1125, 1127 (Fed. Cir. 1984).

There is no suggestion as to the desirability of any modification of the references to describe the present invention. An analysis of the disclosures within the cited references fails to cite every element of the claimed invention. When the prior art references require a selective combination to render obvious a subsequent claimed invention, there must be some reason for the selected combination other than the hindsight obtained from the claimed invention itself. Interconnect Planning Corp v. Feil, 774 F.2d 1132, 227 USPQ 543 (Fed. Cir. 1985). There is nothing in the prior art or the Examiners arguments that would suggest the desirability or obviousness of making a PC/PCS modem of the present functionality. Uniroyal, Inc. v. Rudkki-Wiley Corp., 837 F.2d 1044, 5 USPQ 2d 1432 (Fed. Cir. 1988). The examiner seems to suggest that it would be obvious for one of ordinary skill to attempt to produce the currently disclosed

invention. However, there must be a reason or suggestion in the art for selecting the design, other than the knowledge learned from the present disclosure. In re Dow Chemical Co., 837 F.2d 469, 5 USPQ.2d 1529 (Fed. Cir. 1988); see also In re O'Farrell, 853 F.2d 894, 7 USPQ 2d 1673 (Fed. Cir. 1988).

Applicant feels that, at best, the examiner has cited a number of references variously containing some of the limitations in applicants claim; however, these references and the limitations for which they were cited are combined piecemeal, without any suggestion or motivation for their combination and without regard to the purpose of the applicant's invention. This is similar to the scenario in *In re Blammer,* Civ. App. No. 93-1108, slip op. At 3-4 (Fed. Cir. Sept. 21, 1993)(unpublished), wherein the examiner in that case rejected an application as obvious in light of twelve references. The Board of Appeals in that matter concluded that the invention would have been obvious in light of only four of the references, which was also overturned by the Federal Circuit.

Accordingly, the reversal of the Examiner by the honorable Board of Appeals is respectfully solicited.

Respectfully submitted,

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CLAIMS APPENDIX

The claims on appeal are as follows:

1. A digital, wireless PC/PCS modem for communicating to a wireless communication system, said modem comprising:

a PCMCIA card type configuration of a type associated with a laptop computer unit supporting a circuit board;

a modem integrated within said circuit board in communication with said PCMCIA card;

an antenna having a protective cap and tuned to a frequency of a corresponding wireless system for transmitting and receiving digital signals and sending them to said circuit board to be processed; said antenna attached to said modem using a swivel joint assembly that allows for said antenna to be rotated and aligned to provide optimum transmission and reception of digital signals unlimited with respect to a user's locale;

a swivel-based, independent micro camera rotatable 180°; and

a microphone for converting a transmitted sound into a sound signal.

2. The digital, wireless PC/PCS modem for communicating to a wireless communication system as described in Claim 1, wherein said corresponding wireless communication system is defined as a satellite link and relay wireless

communication system.

3. The digital, wireless PC/PCS modem for communicating to a wireless communication system as described in Claim 1, wherein said modem is supplied in the standard shape, size and configuration to match the PCMCIA standards as developed by the computer industry.

4. The digital, wireless PC/PCS modem for communicating to a wireless communication system as described in Claim 1, wherein said loudspeaker and said microphone are coupled to a microprocessor via an audio interface block.

5. The digital, wireless PC/PCS modem for communicating to a wireless communication system as described in Claim 3, wherein said modem includes an enclosure top held in place by a series of fastening means, and wherein said enclosure top is removable so as to allow for repair or adjustment of any internal electronic components located inside said modem.

6. The digital, wireless PC/PCS modem for communicating to a wireless communication system as described in Claim 5, wherein said modem has an electrical connector comprising a series of electrical contacts, wherein said electrical connector is of an arrangement as defined by computer industry for PCMCIA connections.

7. The digital, wireless PC/PCS modem for communicating to a wireless communication system as described in Claim 1, further comprising:

at least three tuner cards for providing a multi-task video screen split into a plurality of frames of equal dimension, wherein each of said frames providing for a specific functional operation, task, or application.

8. The digital, wireless PC/PCS modem for communicating to a wireless communication system as described in Claim 7, wherein said tuner cards being nine in number, and wherein said frames being nine in number.

9. The digital, wireless PC/PCS modem for communicating to a wireless communication system as described in Claim 7, wherein said functional operations and transmissions include video, voice, text, fax, and viewing of satellite television broadcast; and wherein said functional operations and transmissions being simultaneously displayed via said multi-task video screen.

10. An integrated PC/PCS digital wireless modem for communicating to a wireless communication system, said modem comprising:

a PCMCIA card type configuration of a type associated with a laptop computer unit supporting a circuit board;

a modem integrated within said circuit board in communication with said PCMCIA card;

an antenna having a protective cap and tuned to a frequency of a corresponding

wireless system for transmitting and receiving digital signals and sending them to a circuit board to be processed; said antenna attached to said modem using a swivel joint assembly that allows for said antenna to be rotated and aligned to provide optimum transmission and reception of digital signals unlimited with respect to a user's locale;

a swivel-based, independent micro camera rotatable 180°;

a microphone for converting a transmitted sound into a sound signal; and

a loudspeaker for generating an audible sound in response to reception of digital signals, and wherein said loudspeaker and said microphone are coupled to a microprocessor via an audio interface block; and

at least three tuner cards.

11. The integrated PC/PCS digital wireless modem for communicating to a wireless communication system as described in Claim 10, wherein said tuner cards being nine in number for providing a multi-task video screen split into nine frames of equal dimension, wherein each of said nine frames providing for a specific functional operation, task, or application such as video, voice, text, fax, and viewing of satellite television broadcast.

12. A method for satellite link and relay wireless communication utilizing a digital, wireless PC/PCS modem in combination with laptop computer unit or a personal home computer comprising:

digital signals transmitted via satellite link and relay wireless system are received

by an antenna and passed from said antenna through a series of line amplifiers, said series of line amplifiers and a network switching element having an input buffer coupled therebetween, wherein said network switching element receives input from said PC/PCS modem, said switching network element having frequency/feedback along with channel/screen selection function flowing from said switching network bi-directionally to a multi-tuner module where data is passed from said multi-tuner module to a microprocessor, wherein said data is then passed on to a universal asynchronous receiver transmitter via a first bi-directional path, wherein said universal asynchronous receiver transmitter being responsible for all data transfers from a computer system to the computer system's modem output system, whereby data transfer occurs between all modules through a series of parallel bus, a series of serial transmit bus and a series of serial receive bus.

13. The method for satellite link and relay wireless communication utilizing a digital, wireless PC/PCS modem in combination with laptop computer unit or a personal home computer described in Claim 12, further comprising a micro controller for aligning said data in a proper configuration to be processed by a voice, data, fax and video processor through a second parallel bus, second serial transmit bus and second serial receive bus, wherein said voice, data, fax and video processor includes a digital signal processing support module used as a prebuffer into a digital signal processor, and wherein said digital signal processor performs all necessary operations on said data, including handshake verification, through a series of built-in algorithms.

14. The digital, wireless PC/PCS modem for communicating to a wireless communication system as described in Claim 1, wherein said modem is hingedly attached as a free end of a cellular telephone unit , wherein said free end has an electrical connector comprising a series of electrical contacts, and wherein said free end is scaled so as to insertably engage a PCMCIA card slot being dimensionally configured to match PCMCIA standards as developed by computer industry.

EVIDENCE APPENDIX

None

RELATED PROCEEDINGS APPENDING

None